

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

ELECTRONIC APPLICATION OF	)	
TAYLOR COUNTY RURAL ELECTRIC	)	CASE NO.
COOPERATIVE CORPORATION FOR	)	2023-00147
A GENERAL ADJUSTMENT OF RATES	)	

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**MOTION FOR CONFIDENTIAL TREATMENT**

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Comes now Taylor County Rural Electric Cooperative Corporation (“Taylor County RECC”), by counsel, pursuant to KRS 61.878, 807 KAR 5:001 Section 13 and other applicable law, and respectfully moves the Commission to afford confidential treatment to certain information and documents filed by Taylor County RECC in response to the requests for information propounded by Commission Staff in the above-styled matter. In support of this request, Taylor County RECC states as follows:

1. On May 1, 2023, Taylor County RECC filed its Notice of Intent to file a general adjustment of rates and filed its Application on June 6, 2023. Prior to filing the Application, Commission Staff issued its First Request for Information (“Staff’s First Requests”) to Taylor County RECC on May 11, 2023. Taylor County RECC filed responses to Staff’s First Requests on June 19, 2023.

2. On July 5, 2023, Commission Staff issued its Second Request for Information (“Staff’s Second Requests”) and the Attorney General’s Office issued its First Request for Information (“AG’s First Requests”). Taylor County RECC filed responses to Staff’s Second Requests and the AG’s First Requests on July 19, 2023.

3. On August 2, 2023 Commission Staff issued its Third Request for Information (“Staff’s Third Requests”) and on August 1, 2023 the Attorney General’s Office issued its Second Request for Information (“AG’s Second Requests”). Taylor County RECC is filing its responses to Staff’s Third Requests and the AG’s Second Requests contemporaneously with this motion.

4. Taylor County RECC requests the Commission to afford confidential protection to certain information being filed by Taylor County RECC in response to Staff’s Third Requests Item No. 14. The information provided is proprietary, personal, confidential, sensitive, and critical infrastructure information. This information is collectively referred to as the “Confidential Information”. The Confidential Information for which Taylor County RECC seeks confidential protection is maps of its circuits for vegetation management. The Confidential Information if disclosed could have a reasonable likelihood of threatening public safety by disclosing the location of critical infrastructure.

5. KRS 61.878(1)(m)(1) protects “[p]ublic records the disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability in preventing protecting against, mitigating, or responding to a terrorist act....” and specifically exempts from public disclosure certain records pertaining to public utility critical systems. *See* KRS 61.878(1)(m)(1)(f). If disclosed, the portion of the Confidential Information which contains critical energy infrastructure information could be utilized to commit or further a criminal or terrorist act, disrupt critical public utility systems, and/or intimidate or coerce the civilian population. Disclosure of the Confidential Information could result in the disruption of innumerable other infrastructure systems which relate to, or rely upon, the safe and reliable provision of electricity. Moreover, disclosure of the Confidential Information could have a reasonable likelihood of threatening the public safety. Maintaining the confidentiality of all the Confidential Information

relating to energy infrastructure is necessary to protect the interests of Taylor County RECC and its end-use Members, and the region at large.

6. The Confidential Information is proprietary information that is retained by Taylor County RECC on a “need-to-know” basis and is only distributed by Taylor County RECC only to those holding select positions who must have access for business reasons, and it is generally recognized as confidential and proprietary in the utility industry and elsewhere.

7. Additionally, the Confidential Information is publicly unavailable and its confidentiality is critical to Taylor County RECC’s energy infrastructure.

8. Taylor County RECC does not object to limited disclosure of the Confidential Information described herein, pursuant to a confidentiality agreement, to intervenors with a legitimate interest in reviewing the same for the sole purpose of participating in this case.

9. Taylor County RECC is requesting confidential treatment for the entirety of thmaps being filed under seal pursuant to 807 KAR 5:001, Section 13(2)(a)3.b. For that reason, a redacted version of the Confidential Information is not being filed. In accordance with the provisions of 807 KAR 5:001, Section 13(2), Taylor County RECC is filing one copy of the Confidential Information separately under seal, without highlights since confidential protection for the entire documents is being sought. The filing of the Confidential Information is noted in the public version of Taylor County RECC’s responses.

10. Also, in accordance with the provisions of 807 KAR 5:001 Section 13(2), Taylor County RECC respectfully requests that the Confidential Information be withheld from public disclosure for an indefinite period of time due to the critical energy infrastructure contained in the maps.

11. If, and to the extent, the Confidential Information becomes publicly available or otherwise no longer warrants confidential treatment, Taylor County RECC will notify the Commission and seek to have confidential protection removed, pursuant to 807 KAR 5:001 Section 13(10).

WHEREFORE, on the basis of the foregoing, Taylor County RECC respectfully requests that the Commission classify and protect as confidential the specific Confidential Information described herein for an indefinite period of time.

Dated this 11<sup>th</sup> of August, 2023.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

This is to certify that the electronic filing was transmitted to the Commission on August 11, 2023 and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.



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*Counsel for Taylor County RECC*